



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,144	12/05/2000	Joseph A. Burich	1410-67111	8090

22242 7590 10/04/2003

FITCH EVEN TABIN AND FLANNERY  
120 SOUTH LA SALLE STREET  
SUITE 1600  
CHICAGO, IL 60603-3406

EXAMINER

WORJLOH, JALATEE

ART UNIT PAPER NUMBER

3621

DATE MAILED: 10/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/730,144

Applicant(s)

BURICH, JOSEPH A.

Examiner

Jalatee Worjloh

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

1. Claims 1- 28 have been examined.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2,8-14, 21-25, 27 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 5987440 to O'Neil et al.

O'Neil et al. disclose a plurality of remotely connected computers connected together over a network, members accessing member information over ones of said remotely connected computers (see fig. 1), means for maintaining said member information (see col. 13, lines 4-8), means for searching through member information responsive to an information request from a member, means for selectively allowing members to request said member information and login means for receiving a member identification and corresponding password and providing a logging-in member portion of said member information responsive to a request (see figures 26, 27 and 28; col. 7, lines 7-39).

Referring to claims 8,9, 21 and 22, O'Neil et al. disclose billing means (i.e. "LivePaymentServer") for tracking member use, deriving member bills from member use and

billing individuals ones of said members, said billing means collecting revenues from billed members (see col.2 1, lines 37-62).

Referring to claims 10-12, 23 and 24 O'Neil et al. disclose the members of said system are members of a common industry, wherein the common industry include suppliers, manufacturers, and, wherein the common industry is the food industry (see col. 2, lines 9-16). Note. O'Neil et al. to not explicitly claim the industry include a food industry but it is inferred (see col. 2, lines 11-12).

Referring to claims 13 and 14, O'Neil et al. disclose the system wherein member information is stored on member computers, member computers being ones of said remotely connected computers; wherein at least a portion of said member information is located on a central computer with said database server (see col. 14, lines 53-65).

Referring to claims 25, 27 and 28, O'Neil et al. disclose one or more specifications are stored on member computers, member computers being ones of said remotely connected computers to said information system, the location of remotely stored said specifications being stored on said information system; wherein one or more specifications are stored in said central storage and wherein one or more specifications are stored in said central storage (see col. 14, lines 53-65).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neil et al. as applied to claim 1 above, and further in view of US Patent No. 6609115 to Mehring et al.

O'Neil et al. disclose means for maintaining member information comprises a webserver storing static content information and serving said static content to members (see col. 4, lines 25-33), a database server storing said member information and also storing procedures and functions, said database server managing said stored member information, procedures and functions and providing selected portions of said member information responsive to appropriate requests from authorized members (see col. 17, lines 14-43). O'Neil et al. do not expressly disclose an appserver storing applications for use by members and selectively executing stored applications responsive to selected requests from members or a policy server storing user security profiles and managing said stored user security profiles, each of said members' security profile indicating a level of authorization of a corresponding member. Mehring et al. disclose an appserver storing applications for use by members and selectively executing stored applications responsive to selected requests from members (see col. 12, lines 30-35) and a policy server storing user security profiles and managing said stored user security profiles, each of said members' security profile indicating a level of authorization of a corresponding member (see col. 10, lines 4-20). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by O'Neil et al. to include an appserver storing applications for use by members and selectively executing stored applications responsive to selected requests from members or a policy server storing user security profiles and managing said stored user security profiles, each of said members' security profile indicating a level of

Art Unit: 3621

authorization of a corresponding member. One of ordinary skill in the art would have been motivated to do this because it provides a system for providing limited user access to system documentation stored at an online central service facility (see col. 2, lines 3-5).

6. Claims 4 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neil et al. as applied to claims 1 and 25 respectively above, and further in view of US Patent No. 5913210 to Call.

O'Neil et al. disclose means for searching member information (see figures 27 and 28; col. 7, lines 27-39). O'Neil et al. do not expressly disclose a search engine having full text indexing and searching capability for searching member supplied documents stored in said system and a crawler continuously searching and indexing searched said member supplied documents and said search engine searching and retrieving documents indexed by a said crawler responsive to member requests. Call discloses a search engine having full text indexing and searching capability for searching member supplied documents stored in said system and a crawler continuously searching and indexing searched said member supplied documents and said search engine searching and retrieving documents indexed by a said crawler responsive to member requests. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by O'Neil et al. to include a search engine having full text indexing and searching capability for searching member supplied documents stored in said system and a crawler continuously searching and indexing searched said member supplied documents and said search engine searching and retrieving documents indexed by a said crawler responsive to member requests. One of ordinary skill in the art would have been

motivated to do this because search engines implement proprietary algorithms to create its indices to return only significant results for each query.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neil as applied to claim 1 above, and further in view of U.S. Publication No. 2001/0051978 to Allen et al.

O'Neil et al. disclose a member accessible information system (see claim 1 above).

O'Neil et al. do not expressly disclose a personalization server. Allen et al. disclose a personalization server, said personalization server recording characteristics of content viewed by members and personalizing content, personalized content automatically being made available to corresponding members thereafter (see paragraphs [0013], [0040]-[0042], and [0045]; fig. 2). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by a personalization server, said personalization server recording characteristics of content viewed by members and personalizing content, personalized content automatically being made available to corresponding members thereafter. One of ordinary skill in the art would have been motivated to do this because information stored in a personalization server can be used to produce personalized web site content for the user based upon the interest of the user (see Allen et al., abstract).

8. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neil et al. as applied to claim 1 above, and further in view of US Publication No. 2002/0097235 to Rosenberg et al.

O'Neil et al. disclose a member accessible information system (see claim 1 above).

O'Neil et al. do not expressly disclose an ad server providing advertising content to members, wherein said ad server manages ad content scheduling, serving and tracking. Rosenberg et al.

Art Unit: 3621

disclose an ad server providing advertising content to members, wherein said ad server manages ad content scheduling, serving and tracking (see paragraph [0041]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by O'Neil et al. to include an ad server providing advertising content to members, wherein said ad server manages ad content scheduling, serving and tracking. One of ordinary skill in the art would have been motivated to do this because it is a way to quickly deliver ads to receptive audiences (see Rosenberg et al., paragraph [0008]).

9. Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over O' Neil et al. in view of Mehring et al.

Referring to claims 15 and 17, O'Neil et al. disclose a central storage storing product information for products related to a common industry (see col. 25, lines 3-6; col. 27, lines 64-66), a web server interfacing members with selected product information stored in said central storage (see col. 26, lines 44-51; col. 4, lines 25-33) and a specification storage specifications for ones of said products, stored said specifications being selectively provided to ones of said interfacing members (see col. 27, lines 64-67; col. 28, lines 1-4). O'Neil et al. do not expressly disclose a security policy server, selecting product information available to each member or storing user security profiles and managing said stored user security profiles, each of said members' security profile indicating a level of authorization of a corresponding member or an app server storing applications for use by members and selectively executing stored applications responsive to selected member requests from said web server. Mehring et al. disclose an app server storing applications for use by members and selectively executing stored applications responsive to selected member requests from said web server (see col. 12, lines 30-35), a security



Art Unit: 3621

policy server, selecting product information available to each member storing user security profiles and managing said stored user security profiles, each of said members' security profile indicating a level of authorization of a corresponding member (see col. 10, lines 4-20; col. 19, lines 13-28; col. 20, lines 1-19). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by O'Neil et al. to a security policy server, selecting product information available to each member. One of ordinary skill in the art would have been motivated to do this because it provides a system for providing limited user access to system documentation/product stored at an online central service facility (see col. 2, lines 3-5).

10. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neil and Mehring et al. as applied to claim 15 above, and further in view of U.S. Publication No. 2001/0051978 to Allen et al.

O'Neil et al. disclose an information system (see claim 15 above). O'Neil et al. do not expressly disclose a personalization server. Allen et al. disclose a personalization server, said personalization server recording characteristics of content viewed by members and personalizing content, personalized content automatically being made available to corresponding members thereafter (see paragraphs [0013], [0040]-[0042], and [0045]; fig. 2). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by a personalization server, said personalization server recording characteristics of content viewed by members and personalizing content, personalized content automatically being made available to corresponding members thereafter. One of ordinary skill in the art would have been motivated to do this because information stored in a personalization server can

Art Unit: 3621

be used to produce personalized web site content for the user based upon the interest of the user (see Allen et al., abstract).

11. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neil et al. and Mehring et al. as applied to claim 15 above, and further in view of US Publication No. 2002/0097235 to Rosenberg et al.

O'Neil et al. disclose an information system (see claim 1 above). O'Neil et al. do not expressly disclose an ad server providing advertising content to members, wherein said ad server manages ad content scheduling, serving and tracking. Rosenberg et al. disclose an ad server providing advertising content to members, wherein said ad server manages ad content scheduling, serving and tracking (see paragraph [0041]). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system disclose by O'Neil et al. to include an ad server providing advertising content to members, wherein said ad server manages ad content scheduling, serving and tracking. One of ordinary skill in the art would have been motivated to do this because it is a way to quickly deliver ads to receptive audiences (see Rosenberg et al., paragraph [0008]).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jalatee Worjloh whose telephone number is 703-305-0057. The examiner can normally be reached on Mondays-Thursdays 8:30 - 7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306, 703-746-9443 for Non-Official/Draft.

Art Unit: 3621

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

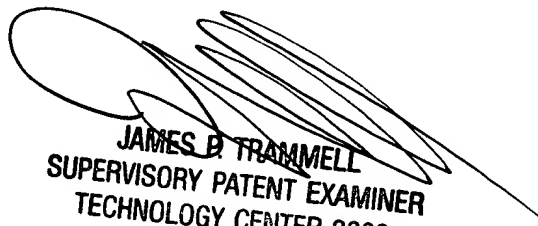
Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks  
PO Box 1450  
Alexandria, VA 22313-1450***

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,  
Arlington, V.A., Seventh floor receptionist.

\*\*\*

September 25, 2003

  
**JAMES P. TRAMMELL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600**